

111TH CONGRESS
1ST SESSION

S. 1547

To amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 30, 2009

Mr. REED (for himself, Mr. BOND, Mrs. MURRAY, Mr. JOHNSON, Mr. KERRY, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Zero Tolerance for
5 Veterans Homelessness Act of 2009”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) veterans are at a greater risk of becoming
4 homeless than other people in the United States, be-
5 cause of characteristics that include—

6 (A) having employment-related skills that
7 are unique to military service and that can be
8 difficult to transfer to the civilian sector;

9 (B) combat-related health issues;

10 (C) earning minimal income or being un-
11 employed; and

12 (D) a shortage of safe, affordable housing;

13 (2) the Department of Veterans Affairs esti-
14 mates that—

15 (A) 131,000 veterans are homeless on any
16 given night;

17 (B) more than 200,000 veterans experience
18 homelessness each year; and

19 (C) veterans account for nearly $\frac{1}{5}$ of all
20 homeless people in the United States;

21 (3) approximately 1,500,000 veterans, nearly
22 6.3 percent of the veterans in the United States,
23 have an income that falls below the Federal poverty
24 level, and approximately 634,000 veterans have an
25 income below 50 percent of the Federal poverty
26 level;

1 (4) the Department of Veterans Affairs is only
 2 adequately funded to respond to the health, housing,
 3 and supportive services needs of approximately $\frac{1}{3}$ of
 4 the veterans in the United States; and

5 (5) it is expected that significant increases in
 6 services will be needed to serve the aging veterans
 7 of the Vietnam war and members of the Armed
 8 Forces returning from Operation Iraqi Freedom and
 9 Operation Enduring Freedom.

10 **SEC. 3. PROGRAM ON PREVENTION OF VETERAN HOME-**
 11 **LESSNESS.**

12 (a) PROGRAM ON PREVENTION OF VETERAN HOME-
 13 LESSNESS.—

14 (1) IN GENERAL.—Subchapter VII of chapter
 15 20 of title 38, United States Code, is amended by
 16 adding at the end the following new section:

17 **“§ 2067. Prevention of veteran homelessness**

18 “(a) PREVENTION OF VETERAN HOMELESSNESS.—
 19 Not later than 180 days after the date of the enactment
 20 of this section, the Secretary shall establish a program
 21 within the Veterans Benefits Administration to prevent
 22 veteran homelessness by—

23 “(1) identifying in a timely fashion any veteran
 24 who is homeless or at imminent risk of becoming
 25 homeless; and

1 “(2) providing assistance sufficient to ensure
2 that each veteran identified under paragraph (1)
3 does not become or remain homeless.

4 “(b) TYPES OF ASSISTANCE.—The assistance pro-
5 vided under subsection (a)(2) may include the following:

6 “(1) The provision of short-term or medium-
7 term rental assistance.

8 “(2) Housing relocation and stabilization serv-
9 ices, including housing search, mediation, and out-
10 reach to property owners.

11 “(3) Services to resolve personal credit issues
12 that have led to negative credit reports.

13 “(4) Assistance with paying security or utility
14 deposits and utility payments.

15 “(5) Assistance with covering costs associated
16 with moving.

17 “(6) A referral to a program of another depart-
18 ment or agency of the Federal Government.

19 “(7) Such other activities as the Secretary con-
20 siders appropriate to prevent veterans homelessness.

21 “(c) NO DUPLICATION OF SERVICES.—The Secretary
22 may provide assistance under subsection (a)(2) to a vet-
23 eran receiving supportive services from an eligible entity
24 receiving financial assistance under section 2044 of this
25 title only to the extent that the assistance provided under

1 subsection (a)(2) does not duplicate the supportive serv-
 2 ices provided to such veteran by such entity.

3 “(d) STAFFING.—The Secretary shall assign such
 4 employees at such locations as the Secretary considers
 5 necessary to carry out this section.

6 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 7 are authorized to be appropriated to carry out this section
 8 \$50,000,000 for each of fiscal years 2010 through 2014.”.

9 (2) CLERICAL AMENDMENT.—The table of sec-
 10 tions at the beginning of chapter 20 of such title is
 11 amended by adding at the end the following new
 12 item:

“2067. Prevention of veteran homelessness.”.

13 (b) RESPONSIBILITIES OF HOMELESS VETERANS
 14 PROGRAM COORDINATORS.—Section 2003(a) of such title
 15 is amended—

16 (1) in paragraph (3), by striking “The housing”
 17 and inserting “Any housing”;

18 (2) by redesignating paragraph (7) as para-
 19 graph (8); and

20 (3) by inserting after paragraph (6) the fol-
 21 lowing new paragraph (7):

22 “(7) The program under section 2067 of this
 23 title.”.

24 (c) REPORT.—Not later than 180 days after the date
 25 of the establishment of the program required by section

1 2067 of title 38, United States Code, as added by para-
 2 graph (1), the Secretary of Veterans Affairs shall submit
 3 to Congress a report on the operation of such program.

4 **SEC. 4. ENHANCEMENT OF COMPREHENSIVE SERVICE PRO-**
 5 **GRAMS.**

6 (a) ENHANCEMENT OF GRANTS.—Section 2011 of
 7 title 38, United States Code, is amended—

8 (1) in subsection (a), by striking “Subject to
 9 the availability of appropriations provided for such
 10 purpose, the” and inserting “The”;

11 (2) in subsection (b)(1)(A), by inserting “new
 12 construction,” before “expansion”; and

13 (3) in subsection (c)—

14 (A) in the first sentence, by striking “A
 15 grant” and inserting “(1) A grant”;

16 (B) in the second sentence of paragraph
 17 (1), as designated by subparagraph (A), by
 18 striking “The amount” and inserting the fol-
 19 lowing:

20 “(2) The amount”; and

21 (C) by adding at the end the following new
 22 paragraph:

23 “(3)(A) The Secretary may not deny an application
 24 from an entity that seeks a grant under this section to
 25 carry out a project described in subsection (b)(1)(A) solely

1 on the basis that the entity proposes to use funding from
 2 other private or public sources, if the entity demonstrates
 3 that a private nonprofit organization will provide oversight
 4 and site control for the project.

5 “(B) In this paragraph, the term ‘private nonprofit
 6 organization’ means the following:

7 “(i) An incorporated private institution, organi-
 8 zation, or foundation—

9 “(I) that has received, or has temporary
 10 clearance to receive, tax-exempt status under
 11 paragraphs (2), (3), or (19) of section 501(c) of
 12 the Internal Revenue Code of 1986;

13 “(II) for which no part of the net earnings
 14 of the institution or foundation inures to the
 15 benefit of any member, founder, or contributor
 16 of the institution or foundation; and

17 “(III) that the Secretary determines is fi-
 18 nancially responsible.

19 “(ii) A for-profit limited partnership or limited
 20 liability company, the sole general partner of which
 21 is an organization that is described by subclauses (I)
 22 through (III) of clause (i).

23 “(iii) A corporation wholly owned and controlled
 24 by an organization that is described by subclauses
 25 (I) through (III) of clause (i).”.

1 (b) STUDY AND REPORT ON PER DIEM PAY-
2 MENTS.—

3 (1) STUDY AND DEVELOPMENT OF PAYMENT
4 METHOD.—Not later than one year after the date of
5 the enactment of this Act, the Secretary of Veterans
6 Affairs shall—

7 (A) complete a study of all matters relat-
8 ing to the method used by the Secretary to
9 make per diem payments under section 2012(a)
10 of title 38, United States Code; and

11 (B) develop an improved method for ade-
12 quately reimbursing recipients of grants under
13 section 2011 of such title for services furnished
14 to homeless veterans.

15 (2) CONSIDERATION.—In developing the meth-
16 od required by paragraph (1)(B), the Secretary may
17 consider payments and grants received by recipients
18 of grants described in such paragraph from other
19 departments and agencies of Federal and local gov-
20 ernments and from private entities.

21 (3) REPORT.—Not later than one year after the
22 date of the enactment of this Act, the Secretary of
23 Veterans Affairs shall submit to Congress a report
24 on—

1 (A) the findings of the Secretary with re-
 2 spect to the study required by subparagraph
 3 (A) of paragraph (1);

4 (B) the method developed under subpara-
 5 graph (B) of such paragraph; and

6 (C) any recommendations of the Secretary
 7 for revising the method described in subpara-
 8 graph (A) of such paragraph and any legislative
 9 action the Secretary considers necessary to im-
 10 plement such method.

11 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
 12 2013 of such title is amended by striking “subchapter
 13 \$150,000,000” and all that follows through the period and
 14 inserting the following: “subchapter—

15 “(1) \$200,000,000 for fiscal year 2010; and

16 “(2) such sums as may be necessary for each
 17 of fiscal years 2011 through 2014.”.

18 **SEC. 5. HUD VETERANS AFFAIRS SUPPORTIVE HOUSING**
 19 **VOUCHERS.**

20 Section 8(o)(19) of the United States Housing Act
 21 of 1937 (42 U.S.C. 1437f(o)(19)) is amended to read as
 22 follows:

23 “(19) RENTAL VOUCHERS FOR VETERANS AF-
 24 FAIRS SUPPORTED HOUSING PROGRAM.—

1 “(A) RENTAL VOUCHERS.—The Secretary
2 shall make available to public housing agencies
3 described in subparagraph (C) the amounts de-
4 scribed in subparagraph (B), to provide rental
5 assistance through a supported housing pro-
6 gram administered in conjunction with the De-
7 partment of Veterans Affairs.

8 “(B) AMOUNT.—The amounts specified in
9 this subparagraph are the amounts necessary to
10 ensure that—

11 “(i) not more than 30,000 vouchers
12 for rental assistance under this paragraph
13 are outstanding at any one time during fis-
14 cal year 2010;

15 “(ii) not more than 40,000 vouchers
16 for rental assistance under this paragraph
17 are outstanding at any one time during fis-
18 cal year 2011;

19 “(iii) not more than 50,000 vouchers
20 for rental assistance under this paragraph
21 are outstanding at any one time during fis-
22 cal year 2012; and

23 “(iv) not more than 60,000 vouchers
24 for rental assistance under this paragraph
25 are outstanding at any one time during fis-

1 cal year 2013 and each fiscal year there-
2 after.

3 “(C) PUBLIC HOUSING AGENCIES.—A pub-
4 lic housing agency described in this subpara-
5 graph is a public housing agency that—

6 “(i) has a partnership with a Depart-
7 ment of Veterans Affairs medical center or
8 an entity determined to be appropriate by
9 the Secretary of Veterans Affairs;

10 “(ii) is located in an area that the
11 Secretary of Veterans Affairs determines
12 has a high concentration of veterans in
13 need of assistance;

14 “(iii) has demonstrated expertise in
15 providing housing for homeless individuals;
16 and

17 “(iv) meets any other criteria that the
18 Secretary, in consultation with the Sec-
19 retary of Veterans Affairs may prescribe.

20 “(D) CASE MANAGEMENT.—The Secretary
21 of Veterans Affairs shall ensure that the case
22 managers described in section 2003(b) of title
23 38, United States Code, provide appropriate
24 case management for each veteran who receives
25 rental assistance under this paragraph that—

- 1 “(i) assists the veteran in—
2 “(I) locating available housing;
3 “(II) working with the appro-
4 priate public housing agency;
5 “(III) accessing benefits and
6 health services provided by the De-
7 partment of Veterans Affairs and
8 other departments and agencies of the
9 Federal Government;
10 “(IV) negotiating with landlords;
11 and
12 “(V) other areas, as the Sec-
13 retary determines is necessary to help
14 the veteran maintain housing or avoid
15 homelessness; and
16 “(ii) ensures that a veteran with a se-
17 vere disability, including a veteran that has
18 been homeless for a substantial period of
19 time, is referred to sufficient supportive
20 services to provide the veteran with stable
21 housing, including—
22 “(I) mental health services, in-
23 cluding treatment and recovery sup-
24 port services;

1 “(II) substance abuse treatment
2 and recovery support services, includ-
3 ing counseling, treatment planning,
4 recovery coaching, and relapse preven-
5 tion;

6 “(III) integrated, coordinated
7 treatment and recovery support serv-
8 ices for co-occurring disorders;

9 “(IV) health education, including
10 referrals for medical and dental care;

11 “(V) services designed to help in-
12 dividuals make progress toward self-
13 sufficiency and recovery, including job
14 training, assistance in seeking employ-
15 ment, benefits advocacy, money man-
16 agement, life-skills training, self-help
17 programs, and engagement and moti-
18 vational interventions;

19 “(VI) parental skills and family
20 support; and

21 “(VII) other supportive services
22 that promote an end to chronic home-
23 lessness.”.

1 **SEC. 6. SPECIAL ASSISTANT FOR VETERANS AFFAIRS IN OF-**
2 **FICE OF SECRETARY OF HOUSING AND**
3 **URBAN DEVELOPMENT.**

4 Section 4 of the Department of Housing and Urban
5 Development Act (42 U.S.C. 3533) is amended by adding
6 at the end the following new subsection:

7 “(g) SPECIAL ASSISTANT FOR VETERANS AF-
8 FAIRS.—

9 “(1) ESTABLISHMENT.—There shall be in the
10 Department a Special Assistant for Veterans Af-
11 fairs, who shall be in the Office of the Secretary.

12 “(2) APPOINTMENT.—The Special Assistant for
13 Veterans Affairs shall be appointed by the Secretary,
14 based solely on merit and shall be covered under the
15 provisions of title 5, United States Code, governing
16 appointments in the competitive service.

17 “(3) RESPONSIBILITIES.—The Special Assist-
18 ant for Veterans Affairs shall be responsible for—

19 “(A) ensuring that veterans have access to
20 housing and homeless assistance under each
21 program of the Department providing such as-
22 sistance;

23 “(B) coordinating all programs and activi-
24 ties of the Department relating to veterans; and

1 “(C) carrying out such other duties as may
2 be assigned to the Special Assistant by the Sec-
3 retary or by law.”.

4 **SEC. 7. HOMELESS VETERANS MANAGEMENT INFORMA-**
5 **TION SYSTEM.**

6 (a) IN GENERAL.—Subchapter VII of chapter 20 of
7 title 38, United States Code, as amended by section 3(b),
8 is further amended by adding at the end the following new
9 section:

10 **“§ 2068. Homeless Veterans Management Information**
11 **System**

12 “(a) METHOD FOR DATA COLLECTION AND AGGRE-
13 GATION.—(1) Not later than one year after the date of
14 the enactment of this section, the Secretary shall, in con-
15 sultation with the Special Assistant for Veterans Affairs
16 of the Department of Housing and Urban Development
17 and the United States Interagency Council on Homeless-
18 ness established under section 201 of the McKinney-Vento
19 Homeless Assistance Act (42 U.S.C. 11311), establish a
20 method for the collection and aggregation of data on
21 homeless veterans participating in programs of the De-
22 partment of Veterans Affairs and the Department of
23 Housing and Urban Development, including the following:

1 “(A) The age, race, sex, disability status, mar-
 2 ital status of the veteran, income, employment his-
 3 tory, and whether the veteran is a parent.

4 “(B) If the veteran received housing assistance,
 5 the number of days that the veteran resided in such
 6 housing, and the type of housing in which the vet-
 7 eran resided.

8 “(C) If the veteran is no longer participating in
 9 a program, the reason the veteran left the program.

10 “(2) The method required by paragraph (1) shall be
 11 established in a manner that ensures that each veteran
 12 is counted only once.

13 “(b) ANNUAL DATA COLLECTION AND AGGREGA-
 14 TION.—Not later than one year after the method is estab-
 15 lished under subsection (a), and annually thereafter, the
 16 Secretary shall collect and aggregate data using the meth-
 17 od established under subsection (a).

18 “(c) ANNUAL REPORTS.—Not later than two years
 19 after the date of enactment of this section and annually
 20 thereafter, the Secretary shall submit to Congress a report
 21 on the data collected and aggregated under subsection (b).

22 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 23 are authorized to be appropriated to carry out this sec-
 24 tion—

25 “(1) \$10,000,000 for fiscal year 2010; and

1 “(2) such sums as may be necessary for fiscal
2 years 2011 through 2014.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 20 of such title is amended
5 by adding at the end the following new item:

“2068. Homeless Veterans Management Information System.”.

6 **SEC. 8. PLAN TO END VETERAN HOMELESSNESS.**

7 (a) IN GENERAL.—Not later than 1 year after the
8 date of enactment of this Act, the Secretary of Veterans
9 Affairs shall submit to Congress a comprehensive plan to
10 end homelessness among veterans that includes—

11 (1) an analysis of programs of the Department
12 of Veterans Affairs and other departments and
13 agencies of the Federal Government that are de-
14 signed to prevent homelessness among veterans and
15 assist veterans who are homeless;

16 (2) an evaluation of whether and how partner-
17 ships between the programs described in paragraph
18 (1) would contribute to ending homelessness among
19 veterans;

20 (3) recommendations for improving the pro-
21 grams described in paragraph (1), creating partner-
22 ships between such programs, or eliminating pro-
23 grams that are no longer effective;

1 (4) recommendations for new programs to pre-
2 vent and end homelessness among veterans, includ-
3 ing an estimation of the cost of such programs;

4 (5) a timeline for implementing the plan; and

5 (6) such other information as the Secretary de-
6 termines necessary.

7 (b) CONSIDERATION OF VETERANS LOCATED IN
8 RURAL AREAS.—The analysis, evaluation, and rec-
9 ommendations included in the report required by sub-
10 section (a) shall include consideration of the circumstances
11 and requirements that are unique to veterans located in
12 rural areas.

○